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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,153	04/24/2000	Charles C. Brackett	15UL-5584	7268

23566 7590 06/27/2003

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EXAMINER

FRENEL, VANEL

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/557,153

Applicant(s)

BRACKETT, CHARLES C.

Examiner

Vanel Frenel

Art Unit

3626

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 June 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 1-18.

Claim(s) withdrawn from consideration: 1-18.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER

Continuation of 2:

Note: Applicant's newly proposed claim 19 contain a plethora of new limitations including "a control platform for controlling said display screen to display a first screen comprising a Patient's Name field for displaying a patient's name" and " wherein said control platform further controls said display screen to display an updated version of said first screen in place of said second screen" and in claim 25 "controlling said display screen to display a first screen comprising a Patient's Name field for displaying a patient's name" and "controlling said display screen to display an updated version of said first screen in place of said second screen". These proposed new claims are a significant change in the scope of claims, as originally presented and require further search and consideration.

Continuation of 5:

Applicant's request for consideration does not place the application in condition for allowance because: Applicant argues features that have not been entered as of the present communication, and Applicant's remarks fail to consider the full teachings of the applied references in the manner discussed in the prior Office Action. With respect to Applicant's argument that a new grounds of rejection was presented in the last Office Action, the Examiner maintains that no new of rejection was applied in the Final Rejection mailed 04/09/03. In particular, the basis of rejection in both the first Office Action mailed 10/08/02 (Paper number 8) and the Final Rejection of 04/09/03 (Paper number 12) was the collective teachings of Teshima (6,272,470) in view of Roever (5,734,915) [Note pp.2-15 of Paper No.12 and pp.2-15 of Paper No.8, which set forth the applicable rejections]. Applicant points to pp.16, 17, and 20 of the Final Rejection as "new grounds of rejections". However, the passages referred to by Applicant are merely responses to Applicant's arguments and provide further support for the rejections based on Teshima and Roewer, and as such, do not constitute a "new" grounds of rejection. Further, with respect to Applicant's reference to p.21 of the Final Rejection, it is respectfully submitted that paragraph number 5 was an inadvertant typographical insertion. As Applicant correctly notes there was no amendment to the claim in the response filed 1/21/03. As such, that paragraph is not relevant to the issues at hand, Further, as noted above, there was no new grounds of rejection made in the Final Rejection of 04/09/03. As such, it is respectfully submitted that the Final Rejection mailed 04/09/03 is indeed proper, and hereby maintained. Others arguments presented appear to rehash issues addressed in the Final Rejection of the 04/09/03.